

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 11, 2013

Elisabeth A. Shumaker
Clerk of Court

JOHNSON & JOHNSON; ETHICON,
INC.,

Petitioners,

v.

No. 13-613
(D.C. No. 5:13-CV-00844-L)

ILARAE J. PAGE; COLLEEN M.
MORGAN; DEBRA JENKINS;
GERALDINE JENKINS; DEANNA
JENKINS; PATRICIA JINRIGHT;
NELLIE JOHNS; TAMMIE JOHNSON;
JENNIFER JOHNSON; CAROLYN
JOHNSON; NICOLE JOHNSON;
CHRISTINE JORDAN; SHERRY
KEEFFE; CHRISTY KEITH; KEVIN
KEITH; JANA KELLENBENZ;
DANETTE I. KNODE; GRACE KORN;
SANDRA KORPI; JOSEPHINE KOSIOL;
BRENDA KRAFT; JENNIFER
KRAMER; SUSAN KRENGULEC;
ROSEMARY LASCAREZ; LILLIE
LENNEAR; DEBRA LEONOR; JEAN
ANN LEWIS; DANAN LIEVENS;
TAMMY LINDSAY; CAROL LINN;
NANCY LITKE; MARIA LOPEZ;
FLORENCE LYNCH; JOHN A. LYNCH,
JR.; JOYCELIN LYNCH; MARTHA
MARKHAM; ETHEL MARRUFO;
DENISE MARTINEZ; BELINDA
MARTINEZ; KAREN MASSAMILLO;
JANET MCCARTHY; REBEKAH
MCCARTNEY; CHERYL MCCLAIN;
RACHELLE MCCLARREN; BETTY
MCDONALD; JACK MCDONALD; JILL
MERCADO; ESSIE MIDDLEBROOKS;
DAWN MILLER; CARLA MIRACLE,

Respondents.

ORDER

Before **HARTZ, O'BRIEN**, and **BACHARACH**, Circuit Judges.

This matter is before the court on the Defendants-Petitioners Johnson & Johnson and Ethicon, Inc.'s Petition for Permission to Appeal. The plaintiffs filed a response opposing the petition.

The defendants filed a motion seeking leave to file a reply brief, which included a proposed reply brief. The motion to file a reply brief is granted. The reply brief shall be filed as of the date it was received.

Upon consideration of the pleadings and the applicable law, the petition for permission to appeal is GRANTED.

Within 14 days of the date of this order, the petitioner shall pay the required appellate filing fees to the district court. *See* Fed. R. App. P. 5(d)(1). Once the fees have been paid, the clerk of the district court shall notify this court. At that time, a new appeal number will be assigned, and the appeal shall be entered on this court's docket. *See id.* 5(d)(3). The date of this order shall be deemed the date for filing the notice of appeal. *See id.* 5(d)(2).

The parties will be advised of scheduling matters once the new appeal has been opened.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal flourish.

ELISABETH A. SHUMAKER, Clerk